

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3025
)	
v.)	
)	
BRET TSCHACHER,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The hearing on Mr. Vanderslice's motion to withdraw and the defendant's request for new counsel cannot be held today as scheduled because the defendant did not travel to Lincoln, Nebraska to attend. The defendant states he was unable to purchase a bus ticket because his bank was closed yesterday, the Columbus Day legal holiday. After conferring with the government's counsel, Mr. Vanderslice, and defendant's appointed standby counsel,

IT IS ORDERED:

- 1) The hearing on the motion to withdraw and for appointment of new counsel, (filing no. 63), is continued to October 22, 2010 at 2:30 p.m. Counsel for the government, the defendant's appointed and standby counsel, and the defendant shall attend.
- 2) The ends of justice will be served by continuing the motion to withdraw hearing, and the time between today's date and October 22, 2010 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 12th day of October, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge